In the United States Patent and Trademark Office

Application No: 09/832,440

Filing Date: 4/11/2001

Title: Method & Apparatus for the Furnishing
Of Benefits Information and Benefits

Examiner: Thomas Dixon

GAU: 3629

Applicant: Steve Morsa
At: Thousand Oaks, CA

Declaration in Support of Accompanying Petition to Make Special
Reason II—Infringement Exists

In support of the accompanying Petition to Make Special, applicant declares as follows:

1. I am the applicant in the above-identified patent application.

2. Applicant has discovered and identified two entities, each offering methods very similar to each other; which are infringing on numerous of applicant's claims. They are: The National Council on the Aging (via their Benefits Check Up online service located at BenefitsCheckUp.org); launched in June of 2001, AND The United States Department of Labor (via their GovBenefits service located at GovBenefits.gov); launched in April of 2002 (Internet print-offs of each of these infringing websites included with this petition).

3. Applicant has made a rigid and rigorous comparison of applicant's claims with these two services/methods and finds that at a minimum, 23 of applicant's claims clearly, obviously, and unquestionably read on, apply to, and are infringed by each of these said two services/methods. Specifically, they both are infringing on claims 1, 2, 9, 25, 45, 47, 68, 69, 70, 71, 72, 80, 87, 88, 95, 110, 130, 132, 152, 153, 154, 155, and 156.

[Please see Addendum A, which follows]

4. Applicant has made a careful and thorough search of—and has a good knowledge of-- the prior art; believing all of the claims in his application to be allowable.

5. Applicant first became aware of each of these services within approx. 90 days of each of their respective launches, and is filing this Petition now as a result of applicant's not becoming aware until December of 2002 of the existence of the Petition to Make Special request option, which applicant previously had no knowledge of.

6. I further declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true, and further that these statements are made under the penalty of perjury, with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 (and/or equivalent Section(s)/Title(s)) of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issuing therefrom.

Respectfully,

Steve Morsa
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Addendum A in Support of Petition to Make Special

Infringed Claims	Infringement
Claims 1 & 87:	Entity, benefit-provider, benefit correlation information is stored in a memory in both services. An informational questionnaire is completed and submitted. Entity data is compared to previously-aggregated benefit data. Resultant benefit information is displayed to entity.
Claims 2 & 88:	Both services provide benefit correlation information for individuals.
Claims 9 & 95:	Both services display the benefits available for individuals.
Claims 25 & 110:	Both services are computer-based.
Claims 45 & 130:	Both services offer the use of their services at no cost.
Claims 47 & 132:	Both services update, modify, remove, and add new benefits data.
Claims 68 & 152:	Both services vary the number of benefits displayed depending on the amount of entity data, the data fields filled in, the completeness of entity's data.
Claims 69 & 153:	Both services allow someone other than the benefit-seeking entity to complete the questionnaire on the entity's behalf.
Claims 70 & 154:	Both services allow entities to utilize questionnaires with partially inaccurate information.
Claims 71 & 155:	Both services operate via an internet.
Claims 72 & 156:	Both services deliver the benefit information via an internet.
Claim 80:	Both services aggregate benefit information from any number of benefit providers within a memory; compare the benefits qualification parameters with the qualifications of an entity/system user; and make available a listing of the benefits entity qualifies for including the contact information for each respective benefit provider.